

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
GREENVILLE DIVISION**

UNITED STATES OF AMERICA

VERSUS

CRIMINAL ACTION NO. 4:05CR63-P-B

ROBERT STEVENSON

ORDER

This cause is before the Court on the defendant's Motion to Continue. The Court, having reviewed the motion and being otherwise fully advised in the premises, finds as follows, to-wit:

The trial of this matter is currently set for August 29, 2005. The defendant recently filed a suppression motion; defendant avers that the outcome of the motion could have a bearing on the need for a trial. Stevenson seeks a continuance of trial pending a hearing and decision on his motion to suppress. Based on the foregoing, the Court finds that the defendant's motion is well-taken and should be granted.

The above circumstances enable the Court to exclude, pursuant to 18 U.S.C. § 3161(h)(8)(A), the period of delay from August 29, 2005 until the new trial date to be set in this matter. The time is excludable under subsection (h)(8)(A) because, given the circumstances described above, a continuance is necessary to afford defendant a fair evidentiary hearing on his motion to suppress prior to the scheduled trial of this cause. Therefore, the ends of justice served by the granting of this continuance outweigh the best interests of the public and the defendants in a speedy trial.

IT IS, THEREFORE, ORDERED AND ADJUDGED that

1. The defendant's Motion for Continuance is GRANTED;

2. That the trial of this matter is continued until Monday, October 3, 2005 at 9:00 a.m. in the United States District Courthouse in Greenville, Mississippi;
3. That the delay from August 29, 2005 until October 3, 2005 is excluded as set out above;
4. That the deadline for filing pretrial motions is September 12, 2005;
5. That the deadline for submitting a plea agreement is September 19, 2005.

SO ORDERED, this the 17th day of August, 2005.

/s/ W. Allen Pepper, Jr.

W. ALLEN PEPPER, JR.

UNITED STATES DISTRICT JUDGE